

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RONNIE LEE MOODY,  
Plaintiff,  
v.  
SIMMS, et al.,  
Defendants.

Case No. [15-cv-04198-JSC](#)

**ORDER DENYING MOTIONS  
FOR LEAVE TO FILE A SECOND  
AMENDED COMPLAINT AND  
FOR APPOINTMENT OF  
COUNSEL; GRANTING  
EXTENSION OF TIME**

Re: Dkt. Nos. 25, 26

Plaintiff, a California prisoner proceeding pro se, filed this civil rights action under 42 U.S.C. § 1983 against San Francisco County Sheriff's deputies for violating his rights while he was incarcerated at the San Francisco County Jail.<sup>1</sup> Plaintiff has filed a motion for leave to file a second amended complaint. The motion is DENIED because Plaintiff has not submitted a proposed second amended complaint, and he has not explained the need to further amend his complaint.

Plaintiff's motion for appointment of counsel is DENIED. There is no constitutional right to counsel in a civil case. *Lassiter v. Dep't of Social Services*, 452 U.S. 18, 25 (1981). Section 1915 confers on a district court only the power to "request" that counsel represent a litigant who is

<sup>1</sup> The parties consented to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c). (ECF Nos. 1, 24.)

proceeding in forma pauperis, not the power to “appoint” counsel. 28 U.S.C. § 1915(e)(1). Plaintiff is capable of presenting his claims effectively, and the issues, at least at this stage, are not complex. If the circumstances of this case materially change, this decision will be reconsidered sua sponte.

**IT IS SO ORDERED.**

Dated: June 15, 2016

  
JACQUELINE SCOTT CORLEY  
United States Magistrate Judge

United States District Court  
Northern District of California

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**CERTIFICATE OF SERVICE**

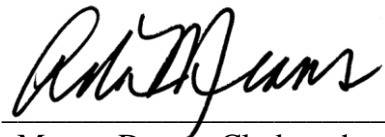
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 15, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ronnie Lee Moody ID: Prisoner Id AX4388  
High Desert State Prison  
P.O. Box 3030  
Susanville, CA 96127

Dated: June 15, 2016

Susan Y. Soong  
Clerk, United States District Court

By:   
Ada Means, Deputy Clerk to the  
Honorable JACQUELINE SCOTT CORLEY